

REMARKS**Status of the Claims**

Entry after final rejection of the sequence listing and the above amendments is requested as the changes are directed to formal matters, and do not introduce new issues that require additional search and consideration. Claim 1 is amended as suggested by the Examiner. Support for the amendment can be found in the specification as filed, such as at page 13, line 33 through page 14, line 7. Claim 11 is canceled without prejudice to or disclaimer of the subject matter recited therein. No new matter is entered.

Information Disclosure Statement

The Office Action dated April 25, 2005 included a signed and initialed copy of the IDS filed on July 23, 2004. However, the first entry of the IDS (National Center For Biotechnology Information General Identifier No. 3080420, 04-01-1999, M. Bevan et al.) was not initialed. No indication was given as to why the submitted reference was not initialed. Applicants request that the first entry of the IDS filed on July 23, 2004 be initialed, and a copy returned with the next office communication.

Specification: Use of Trademarks

The specification is amended to replace trademark Tris-HCl with appropriate language as suggested by the Examiner. Support for the amendment can be found in the specification as filed.

Specification: Sequence Listing

The Sequence Listing and specification are amended to provide SEQ ID NOs 39-56 for the sequences originally disclosed on pages 26 and 29, as suggested by the Examiner. Additionally, SEQ ID NOs: 1, 3, 11, 17 are amended to include “<223> n = a, c, g, or t” in the features section to describe feature “<221> unsure”, and SEQ ID NOs: 2, 4, 18, and 22 are amended to include “<223> Xaa = any amino acid” in the features section to describe feature “<221> unsure”. Support for the amendments can be found in the specification as originally filed, including page 4, lines 2-7; page 26, lines 17-27; and page 29, lines 22-29.

Claim Objection

Claim 1 is objected to as stated in the Office Action dated April 25, 2005 (page 4). The Office Action failed to acknowledge the previous traversal filed December 20, 2004. Applicants respectfully traverse again for reasons as previously stated. However, in order to advance prosecution, claim 1 is amended as suggested by the Examiner. Applicants request withdrawal of the objection.

Claim Rejection: 35 USC 112

Claim 11 is rejected under 35 USC 112, first paragraph. Applicants respectfully traverse. However, in order to advance prosecution, claim 11 is canceled.

CONCLUSION

Claims 1-10 were previously indicated as allowable in the Quayle Action of October 20, 2004. Based on the foregoing amendments and remarks, Applicants respectfully request a Notice of Allowance.


AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 2119-4263. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 2119-4263. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: July 14, 2005

By: 
Michael A. Willis
Registration No. 53,913

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile